



# MILWAUKEE POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURE

### 180 – MISSING PERSONS

**GENERAL ORDER:** 2009-24

**ISSUED:** June 4, 2009

**EFFECTIVE:** June 4, 2009

**ACTION:** Amends General Order 2008-24 (June 16, 2008)

#### **180.00** **PURPOSE**

The purpose of this standard operating procedure is to establish guidelines for the investigation and handling of reported missing persons.

#### **180.05** **DEFINITIONS**

##### **A. ABDUCTED CHILD**

A person age 17 years or younger, who has been unwillingly removed from his/her home or the custody of his or her parent, guardian, or legal custodian, without permission from the child's legal guardian or designated legal representative.

##### **B. CRITICAL MISSING**

A person who has been reported missing and meets any of the following criteria:

1. The missing person has a proven physical or mental disability which subjects themselves or others to danger.
2. There is reasonable suspicion to believe the disappearance of the missing person is not voluntary and/or the missing person is the victim of foul play.
3. The missing person has a medical emergency.
4. The missing person is missing after a disaster, but not confirmed to be dead, e.g., drowning, explosion, etc.
5. The missing person is age 11 years or younger.
6. The missing person is under the age of 18 and has their own minor child in their custody.

##### **C. NON-CRITICAL MISSING**

A person reported missing who does not meet the definition of an abducted child or critical missing.

**180.10 MISSING REPORT PROCEDURES**

- A. Police members receiving a report of a missing person shall direct the caller to obtain a recent picture (if available) of the missing person and go to the nearest district station to report the missing person. A police member shall be sent to investigate at the reporting person's location only when one or more of the following circumstances are present:
1. The missing person meets the definition of a critical missing.
  2. When the reporting person is medically incapable of going to a district station.
  3. When a supervisor directs a member be sent to investigate.
- B. The police member taking the report shall complete a *Missing Persons Report* (Form PM-8). This includes requiring the reporting person to sign the NCIC authorization on the report. Members shall not provide the reporting person with a blank PM-8 and require them to fill out the report.
- C. If a person under the age of 18 is reported missing and takes his/her child with them, a separate critical missing report shall be filed on the child.
- D. The police member taking the report shall query the missing person in NCIC to determine if the missing person is wanted. If the missing person is wanted, it shall be listed in the Warrant on File box on the front of the PM-8.
- E. If the wanted check reveals the missing person already has an open missing status, the investigating member shall file a new updated PM-8 and cancel the previous one.
- F. Prior to the PM-8 being reviewed by a shift commander, information contained on the report shall be teletyped by office personnel as a missing person. This teletype shall be sent within 60 minutes of completing the PM-8 or as soon as possible, and shall be sent to all districts and bureaus, including Technical Communications – NCIC Desk (teletype destination MWDC). The district's confirmation teletype printout shall be attached to the original PM-8. The NCIC Desk shall enter the information of all missing persons under the age of 21 into CIB and NCIC. Non-critical missing adults over the age of 21 will only be teletyped within the Department.
- G. All non-critical missing persons' investigations shall be the responsibility of the district in which the person resides. If the report is taken at a district of non-residence, a copy of the report shall be forwarded to the appropriate district for follow-up investigation.

**180.15 CRITICAL MISSING PERSONS**

- A. When a person that meets the criteria of being a critical missing is reported missing, a police member shall be immediately assigned to investigate and take the initial missing report. A patrol sergeant shall also be assigned to the investigation to coordinate the re-search of the home and surrounding area. Information contained on the report shall be teletyped by office personnel as a critical missing person. This teletype shall be sent within 60 minutes of initial dispatch or as soon as possible, and shall be sent to all districts and bureaus, including MWDC. The district's confirmation teletype printout shall be attached to the original report. The NCIC Desk (MWDC) shall enter the information of the critical missing into CIB and NCIC.
- B. The Sensitive Crimes Division (SCD) shall be notified by the district shift commander on all critical missings. A member of the SCD shall be assigned to coordinate the investigation with the sergeant on scene in an attempt to locate the critical missing person. It shall be the responsibility of the respective district to assign police members and a sergeant from shift to shift to investigate the missing person. A *Missing Supplementary Report* (Form PM-19), including follow-up information or other circumstances on the critical missing, shall be filed during each 8-hour tour of duty.
- C. The SCD shall continually monitor and investigate all critical missings. The assigned members of the SCD shall file a PM-19 on the day and early shift. The SCD early shift shall notify the Criminal Investigation Bureau late shift commander regarding any unusual circumstances in the investigation of the critical missing.

**180.20 AMBER ALERT-ABDUCTED CHILD RELATED MISSINGS****A. AMBER ALERT CRITERIA**

1. Child must be 17 years of age or younger.
2. Child must be in danger of serious bodily harm or death.
3. The initiating agency must have enough descriptive information about the child, the suspect(s), and/or the suspect vehicle(s) to believe an immediate broadcast alert will help locate the child.

**Note: The Amber Alert is not to be used for family abductions unless the child's life is in immediate danger.**

**B. AMBER ALERT PROCEDURE**

1. If a police member has reason to believe a child has been abducted, they shall immediately broadcast a description, contact his/her shift commander and request a sergeant respond to the scene. The sergeant shall coordinate the search and canvass of the home and surrounding area.

2. The shift commander shall notify the SCD shift commander who shall assign a detective and lieutenant to direct the investigation.
3. If the SCD commander determines that the Amber Alert criteria have been satisfied, he/she shall obtain approval from the Assistant Chief of the Criminal Investigation Bureau (CIB) or designee during weekdays or the night watch commander during nights and weekends to activate the Amber Alert. The SCD shift commander shall ensure that the Amber Alert instructions are implemented and the necessary reports are completed.

#### **180.25 INTERFERENCE WITH CUSTODY**

Department members shall file a PM-8 report on juvenile victims of interference with custody cases. In completing these reports, the endangered or involuntary missing person section on the report shall be completed for NCIC authorization. PM-8 reports shall not be completed on adult suspects in these matters; suspects shall be named on incident reports involving these cases. In all cases involving interference with custody, the SCD shall be notified for assistance.

#### **180.30 MISSING JUVENILES**

##### **A. RESIDENTIAL TREATMENT CENTERS, GROUP OR FOSTER HOMES**

1. When investigating missing juveniles from a residential treatment center, group home or foster home, investigating members shall determine the placing authority, name of caseworker, parent's name, address, and phone number. Contact shall be made with the caseworker to ascertain if the juvenile has been transferred to another facility.
2. A PM-8 shall be filed on the juvenile. In addition, the juvenile's caseworker will be asked to file an "Apprehension Request" on the child. If an "Apprehension Request" is issued on the juvenile, the missing report shall be cancelled with that information listed. If no "Apprehension Request" is issued, the missing report shall remain open.
3. The Sensitive Crimes Division shall conduct follow-up investigations on juveniles missing from group homes where parents/guardians reside outside of this jurisdiction.

**B. WANTED BY OTHER JURISDICTIONS**

Juvenile missing persons from other jurisdictions, or juveniles who are wanted by other jurisdictions for the commission of a crime, and who are taken into custody by a member(s) of the Milwaukee Police Department, shall be questioned as to their whereabouts and activities during their absence. A complete investigation shall be made to determine whether any offenses have been committed within or outside our jurisdiction. An *Arrest/Detention Report* (Form PA-45) shall be filed and the juvenile entered as a child in need of protective custody (S.S. 48.19(D)(5)). If the parent(s) or guardian of the juvenile cannot be located, or refuse to accept the juvenile, the Bureau of Milwaukee Child Welfare (BMCW) shall be notified that our Department has a child in need of protective custody and the juvenile shall be turned over to BMCW for placement. All teletype communications with any other departments outside of Milwaukee shall be handled through the SCD or the NCIC Desk.

**C. LOCAL MISSING JUVENILES LOCATED IN OTHER JURISDICTIONS**

When a police department of another jurisdiction notifies the department that a missing juvenile from Milwaukee has been located or taken into custody, it is the responsibility of the officer receiving the notification to notify the juvenile's parent or guardian. The parent or guardian shall be instructed to make the necessary arrangements with the locating department for the return of the juvenile. Department members shall not transport the missing juvenile back to our city unless otherwise directed by proper authority. When information is received that the juvenile is in the custody of another jurisdiction, a teletype shall be requested from that jurisdiction regarding the circumstances of the missing being taken into custody and sent to the CIB Administration. A copy of the teletype message from the outside jurisdiction shall be forwarded to the SCD. The SCD shall determine if follow-up investigation will be conducted on the juvenile's criminal activities. The officer receiving the notification shall ensure the juvenile missing is cancelled by the NCIC Desk (MWDC) and a PM-19 report shall be filed documenting all details by the SCD during the day and early shift, and by the CIB during the late shift.

**D. BUREAU OF MILWAUKEE CHILD WELFARE (BMCW) RESPONSIBILITY**

When a missing juvenile is located in the city of Milwaukee, the juvenile shall be turned over to a parent or guardian. If the parent or guardian cannot be located, or refuses to accept the juvenile, then BMCW shall be called for a child in need of protective services. The BMCW worker will place the juvenile or authorize the placement with an adult relative.

**180.35**     **MISSING PERSONS REACHING AGE 21**

The Adam Walsh Child Protection and Safety Act of 2006 mandates that, once a missing person has been entered into NCIC, their name cannot be removed from NCIC solely because of their age. Therefore, a missing person who is still missing after reaching 21 years of age shall remain entered in NCIC regardless of whether or not they are a critical, endangered or involuntary missing person.

**180.40**     **NON-CRITICAL PERSON MISSING MORE THAN 30 DAYS**

If a non-critical person is missing more than 30 days, the district shall notify the Sensitive Crimes Division. The SCD shift commander shall determine if supplementary information should be entered into NCIC. The medical, dental, DNA, and finger print information shall be entered into the NCIC system at the discretion of the shift commander of the SCD. The SCD shift commander shall also determine if a photograph of the missing person should be disseminated to all districts and bureaus.

**180.45**     **LOST CHILD**

- A. When a police member happens upon a lost child, information on the lost child shall be broadcast via radio and an immediate door-to-door canvas shall be conducted by the investigating member under the supervision of a patrol sergeant. The information shall be teletyped to all districts and bureaus and the child shall be conveyed to the respective district station. A photograph of the lost child shall be taken for identification purposes.
- B. The SCD shall assist in the identification of the lost child and in locating the parents/guardian. If the residence is located, it shall be assessed for circumstances of neglect or other criminal activity.
- C. If unable to locate the parents/guardian, the child or juvenile shall be turned over to BMCW as a child in need of protective services.

**180.50**     **MISSING PERSON RETURNS**

- A. A Form PM-19 shall be filed for any follow-up, additional information, or cancellation of the missing report. The person shall be interviewed, in person if practical, to determine his/her whereabouts while missing, their associates, involvement in any criminal activity, reason for being missing, and what the appropriate disposition should be (arrest, counseling, referral, etc.).
- B. When taking a missing person return, the investigating member shall run a wanted check on the returned person; this information will be noted on the cancellation report. The investigating member shall ensure that a cancellation teletype on the missing person be sent to all bureaus and divisions, including MWDC. The NCIC Desk (MWDC) shall cancel the missing person in CIB and NCIC.

- C. A missing person return may be taken by telephone when it has been verified that the caller has the authority to cancel the report. Members shall be diligent in assuring that the person they are speaking to has the authority to clear the missing report.
- D. An officer shall be sent to the returned person's location ONLY when one or more of the circumstances detailed in Section 180.05 (B)(1-6) are present or the missing person is currently wanted by the police. Every reasonable effort should be made to take such wanted person into custody.
- E. For non-suspicious adult missing returns, members shall direct the missing adult to contact the person who reported him/her missing. For privacy reasons, Department members shall not divulge the location of the cleared missing adult to the reporting person. Members will only advise the reporting person that the missing was located, he/she appeared to be healthy, and that the missing was instructed to contact the reporting person. This does not apply to mentally ill adults or to adults under a legal guardianship program.
- F. When members come into contact with missing persons who are in need of social services not delivered through the Department, they shall direct the missing person or their family to an appropriate agency that may be able to provide the needed services.



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